

HOUSE No. 1333

The Commonwealth of Massachusetts

PRESENTED BY:

Robert A. DeLeo

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to child testimony in criminal proceedings

PETITION OF:

NAME:

Robert A. DeLeo

DISTRICT/ADDRESS:

19th Suffolk

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

An Act relative to child testimony in criminal proceedings

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 20 of chapter 233 of the General Laws, as appearing in the 2006 official edition, is hereby amended by striking the fourth clause and inserting in place thereof the following:--

Fourth, An unemancipated, minor child, shall not testify before a grand jury, trial of an indictment, complaint or other criminal proceeding, against a parent who maintains either physical custody, legal custody or both over said child, where the victim in such proceeding is not a member of said parent's family and who does not reside in the said parent's household. For the purposes of this clause the term "parent" shall mean the natural or adoptive mother or father of said child.